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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 CEN COM, INC., a Washington Corporation
9 doing business as American Digital Monitoring,

10 Plaintiff,

11 v.

12 NUMEREX CORP., a Pennsylvania
13 Corporation; NextAlarm, LLC, a Georgia
14 Limited Liability Company; and DOES 1 – 10,

Defendants.

Case No. C17-0560RSM

ORDER DENYING PLAINTIFF'S
MOTION FOR TERMINATING
SANCTIONS

15 THIS MATTER comes before the Court on Plaintiff's Motion for Terminating Sanctions.
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17 Dkt. #120. Plaintiff seeks an Order dismissing all of Defendants' counterclaims as a sanction for
18 their alleged overuse of the Attorneys' Eyes Only ("AEO") designation of documents during
19 discovery. *Id.* The Court DENIES this motion for counsels' failure to engage in the appropriate
20 meet-and-confer required by this Court's Rules and the stipulated Protective Order. LCR
21 37(a)(1) and Dkt. #19 at ¶ 7.2. The record reflects numerous discussions between counsel
22 regarding Defendants' AEO designations. *See* Dkts. #122 and #143. However, having reviewed
23 that record, and the history of this matter, the Court is not convinced that the parties had reached
24 an impasse requiring the filing of the instant motion, or that all parties had engaged in a good
25 faith effort to resolve the dispute. For those reasons, Plaintiff's Motion for Terminating Sanctions
26 (Dkt. #120) is DENIED.
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1 DATED this 26th day of June, 2018.

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4 RICARDO S. MARTINEZ
5 CHIEF UNITED STATES DISTRICT JUDGE
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